

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES, )

8 Plaintiff, )

9 v. )

10 JESUS "JESSE" DELEON, )

11 Defendant. )

Case No. CR08-365-JLR

**ORDER REVOKING  
RELEASE, PERMITTING  
SELF-SURRENDER AND  
ORDERING DETENTION**

12 On April 10, 2009, the Court conducted a hearing to address the government's motion to  
13 revoke the appearance bond in this case and to detain the defendant. After considering the parties'  
14 pleadings, counsels' arguments and the balance of the record, the Court found the \$5,000 posted by  
15 defendant's brother Michael Deleon to secure the \$50,000 bond is not sufficient to secure the  
16 presence of the defendant. The Court granted defendant leave to make arrangements to substitute,  
17 the \$5,000 presently posted, with U.S. funds in the same amount by Wednesday, April 15, 2009.

18 The \$50,000 bond is a condition of defendant's release. If defendant cannot substitute  
19 adequate and proper funds in the amount of \$5,000 to secure the \$50,000 bond, the Court ruled it  
20 would revoke defendant's appearance bond and remand the defendant into custody. Defendant's  
21 counsel has informed the Court that defendant has not substituted adequate and proper funds in the  
22 amount of \$5,000 to secure the \$50,000 bond and requests permission to self-surrender to the U.S.  
23

1 Marshal in Seattle, Washington on April 17, 2009. The United States does not object to the  
2 defendant's request.

3 The Court finds that no condition or combination of conditions which the defendant can  
4 meet will reasonably assure the appearance of the defendant as required and the safety of any other  
5 person and the community. It is therefore ORDERED:

6 (1) Defendant is permitted to self-surrender to the U.S. Marshal, U.S. Courthouse, 700  
7 Stewart Street, Seattle, Washington 98199 no later than 2:00 pm on April 17, 2009. Defendant  
8 shall be detained pending trial and committed to the custody of the Attorney General for  
9 confinement in a correctional facility separate, to the extent practicable, from persons awaiting or  
10 serving sentences, or being held in custody pending appeal;

11 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
12 counsel;

13 (3) On order of a court of the United States or on request of an attorney for the  
14 Government, the person in charge of the correctional facility in which Defendant is confined shall  
15 deliver the defendant to a United States Marshal for the purpose of an appearance in connection  
16 with a court proceeding; and

17 (4) The clerk shall direct copies of this order to counsel for the United States, to counsel  
18 for the defendant, to the United States Marshall, and to the United States Pretrial Services Officer.

19 DATED this 16<sup>th</sup> day of April 2009.

20  
21 

22 BRIAN A. TSUCHIDA  
23 United States Magistrate Judge